

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 7:22-cr-21
)	
DEBORAH LYNN MYERS,)	By: Michael F. Urbanski
Defendant.)	Chief United States District Judge

ORDER

This matter was referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(3), for the purpose of conducting a felony guilty plea hearing under Rule 11 of the Federal Rules of Criminal Procedure and preparing proposed findings of fact and a recommendation as to the acceptance of such plea as tendered.

On May 27, 2022, defendant was charged in a one-count Information that beginning on or about January 1, 2015 and continuing to on or about March 31, 2020, in the Western District of Virginia, Deborah Lynn Myers, did willfully and knowingly steal and convert to her own use, money of the Social Security Administration, a department or agency of the United States, namely Title II Retirement benefit payments to which she knew she was not entitled, said benefits having a value in excess of \$1,000, in violation of 18 U.S.C. § 641. ECF No. 1. Myers later waived her right to prosecution by indictment and consented to prosecution by information.

In a written plea agreement, Myers agreed to plead guilty to the offense charged in Counts One of the information. ECF No. 10. Under 18 U.S.C. § 641, the maximum statutory penalty for Count One is a period of imprisonment for a term of ten years, a fine of \$250,000, and a term of supervised release of up to three years. Id.

The Plea Agreement contained a guideline stipulation of a base offense level of 6 pursuant to U.S.S.G. §2B1.1(a)(2) with a six-point enhancement for a loss amount of more than \$40,000 but less than \$95,000 pursuant to U.S.S.G. §2B1.1(b)(1)(D). The government agreed to recommend a sentence at the low end of the applicable guideline range. The government's recommendation is not binding on the court.

The magistrate judge filed a report and recommendation on June 1, 2022, recommending that the court accept Myers' guilty plea and plea agreement. ECF No. 16. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety. It is accordingly **ORDERED** and **ADJUDGED** that:

1. The magistrate judge's report and recommendation, ECF No. 16, is **ADOPTED in its entirety**.
2. Myers' plea of guilty is **ACCEPTED**.
3. Myers' plea agreement is **ACCEPTED**.

It is **SO ORDERED**.

Entered: July 1, 2022



Digitally signed by Michael F.
Urbanski Chief U.S.
District Judge
Date: 2022.07.01 16:31:23
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Michael F. Urbanski
Chief United States District Judge